

1994  
THE LEGISLATIVE ASSEMBLY  
FOR THE AUSTRALIAN CAPITAL TERRITORY

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(As presented)

(Attorney-General)

**Community Advocate (Amendment) Bill  
1994**

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**A BILL  
FOR**

**An Act to amend the *Community Advocate Act 1991***

The Legislative Assembly for the Australian Capital Territory enacts as follows:

**Short title**

5     1. This Act may be cited as the *Community Advocate (Amendment) Act 1994*.

**Commencement**

2. This Act commences on the day on which the *Children's Services (Amendment) Act 1994* (other than sections 1 and 2) commences.

**Principal Act**

10     3. In this Act, "Principal Act" means the *Community Advocate Act 1991*.<sup>1</sup>

### Functions

4. Section 13 of the Principal Act is amended by inserting after paragraph (1) (e) the following paragraphs:

“(ea) to monitor the provision of services for the protection of children;

5 (eb) to act as advocate for the rights of children;”.

### Investigations

5. Section 14 of the Principal Act is amended—

(a) by omitting from paragraph (1) (a) “or”; and

(b) by inserting after paragraph (1) (a) the following paragraph:

10 “(ab) the provision of services for the protection of children;  
or”.

### Insertion

6. After section 16 of the Principal Act the following section is inserted in Part III:

#### 15 Notification by Community Advocate of cases of child abuse

“16A. Where a person in good faith notifies the Community Advocate of the suspected or actual sexual or physical abuse of a child, or of such circumstances as the Community Advocate believes, on reasonable grounds, may make it appropriate that action be taken with respect to the child under the *Children’s Services Act 1986*, the Community Advocate shall, as soon as practicable, notify the Director of Family Services of that suspected or  
20 actual abuse or those circumstances.”.

### Further amendments

7. The Principal Act is amended as set out in the Schedule.

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## SCHEDULE

Section 7

### FURTHER AMENDMENTS

#### Subsection 4 (2)—

Insert “Community” before “Advocate”.

#### Paragraphs 6 (2) (a) and (b)—

Insert “Community” before “Advocate”.

**SCHEDULE—continued**

**Subsection 9 (2)—**

Insert “Community” before “Advocate” (wherever occurring).

**Subsection 9 (3)—**

Insert “Community” before “Advocate”.

**Paragraphs 10 (1) (a) and (b)—**

Insert “Community” before “Advocate”.

**Subsection 10 (2)—**

Insert “Community” before “Advocate”.

**Paragraph 13 (1) (h)—**

Insert “Community” before “Advocate”.

**Subparagraph 13 (1) (k) (i)—**

Insert “Community” before “Advocate”.

**Paragraph 13 (1) (n)—**

Insert “Community” before “Advocate”.

**Subsections 13 (2) and 14 (2)—**

Insert “Community” before “Advocate”.

**Section 15—**

Insert “Community” before “Advocate” (last occurring).

**Subsection 17 (1)—**

Insert “Community” before “Advocate” (last occurring).

**Paragraphs 18 (b) and (c)—**

Insert “Community” before “Advocate”.

**Subsection 19 (1) (paragraphs (b) and (c) of the definition of “person to whom this section applies”)—**

Insert “Community” before “Advocate”.

**Subsection 20 (1)—**

Insert “Community” before “Advocate” (second and last occurring).

**Subsection 20 (2)—**

Insert “Community” before “Advocate”.

**SCHEDULE—continued****Subsection 20 (3)—**

Insert “Community” before “Advocate” (first occurring).

**Paragraph 20 (3) (a)—**

Insert “Community” before “Advocate”.

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**NOTE**

1. Act No. 64, 1991.